

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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NEW SON YENG PRODUCE NY LLC,

Plaintiff,

- against-

ORDER

13 CV 5012 (RJD) (VVP)

NEW A&N FOOD MARKET, INC., and
TU-CHIN LIN,

Defendants.
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DEARIE, District Judge.

In his June 10, 2014 Report and Recommendation (ECF No. 37), Magistrate Judge Viktor V. Pohorelsky recommends that the Court grant the motion of plaintiff New Son Yeng Produce NY LLC for entry of default judgment in its favor against defendants New A&N Food Market, Inc. and its officer, Tu-Chin Lin, pursuant to the Perishable Agricultural Commodities Act, 7 U.S.C. § 499e. The Report and Recommendation recommends that damages be awarded in the amount of \$36,617.75, comprising the \$36,217.75 debt owed to plaintiff and \$400 in court costs, with liability to be borne jointly and severally by defendants. The Report and Recommendation further recommends that the Court make no award of interest or attorney's fees. The Report and Recommendation was served upon defendants on June 11, 2014, by mailing a copy of the same to defendants at their last known addresses. (Aff. Service, ECF No. 38). No objections have been filed, and defendants' time to do so has expired.

Having considered the papers submitted in support of plaintiff's motion and the comprehensive analysis of Magistrate Judge Pohorelsky, the Court adopts the Report and Recommendation without qualification. Accordingly, the Court grants plaintiff's motion for

entry of default judgment against defendants and awards plaintiff \$36,617.75. The Clerk of the Court is directed to enter judgment accordingly.

SO ORDERED.

Dated: Brooklyn, New York
July 25, 2014

/s/ Judge Raymond J. Dearie

RAYMOND J. DEARIE
United States District Judge